

GOVERNMENT ETHICS RULES

At A Glance

Reference: Standard of Ethical Conduct for Employees of the Executive Branch

- **Gifts from Outside Sources**
- **Gifts between Employees**
- **Conflicting Financial Interests**
- **Impartiality in Performing Official Duties**
- **Seeking Other Employment**
- **Misuse of Position**
- **Outside Activities**

The following “highlights” are not meant to be a complete summary of the government-wide ethics regulations. They are for guidance purposes only. Specific details of requirements have been omitted. If you have any specific questions, review the actual regulations and the examples given in them.

Gifts From Outside Sources

(Subpart B - 5 CFR 2636.201-205)

As a Federal employee, you may not accept gifts from a “prohibited source,” or accept gifts given because of your official position, except in certain limited circumstances discussed below. You may never solicit a gift from a “prohibited source.” A prohibited source is any person, company or organization which:

Does business with USDA, or
Is seeking to do business with USDA, or
Conducts activities regulated by USDA, or
Has interests that may be “substantially affected” by the performance or non-performance of your duties, or
Is an organization a majority of whose members fit any of the above categories.

Non-gifts. Some things are not considered “gifts” and may be accepted. They include:

Loans and discounts available to the public or to all Federal employees for their private use;
Inexpensive refreshments such as soft drinks, coffee or donuts;
Plaques, certificates, and trophies; and
Rewards and prizes.

Exceptions. You may accept:

A gift worth up to \$20 per occasion, up to a maximum value of \$50 from any source per calendar year.
Gifts based on close personal relationships.
Gifts based on outside activities or social events.

Limitations. You may never accept, even if otherwise permitted as an exception:

Gifts in return for being influenced in the performance of your official duties;

Gifts you solicited or coerced; and
Gifts that are accepted so frequently that a reasonable person might question it.

Disposition. If you receive a gift not allowable under the standards, you should:

- Return it; or
- Reimburse the donor for the fair market value of the gift; or
- With your supervisor's approval, donate it to charity, destroy it, or share it with the entire office (if it's perishable, such as food).

Gifts Between Employees (Subpart C - 5 CFR 2635.301-304)

Two Rules. You may not:

- Give a gift to your official superior (supervisor or anyone up the chain).
- Accept a gift from any lesser-paid employee.

Exceptions. It's OK to give or receive a gift under any one of the following circumstances:

- You may accept a gift from a lesser-paid employee who IS NOT your subordinate, AND there is a personal relationship which would justify the gift.

- The gift is for a traditional occasion such as a birthday or Christmas, and is worth \$10 or less.

- You receive food or refreshments that are shared at the office.

- A small contribution for a gift on a special occasion like a wedding, or a person leaving for a new job.

- The gift is in connection with personal hospitality, like a bottle of wine on being invited to someone's home.

Conflicting Financial Interests (Subpart D - 5 CFR 2636.401-403)

The rule. You may not participate in any matter, as part of your official duties, if it would have a direct and predictable effect on your financial interests; OR those of your spouse, minor child, or certain others (outside employer, general partner, etc.).

Acquiring or holding interests. You are not allowed to have any financial interests that might be a conflict of interest with your duties. If you do, it may be necessary to divest them, or disqualify yourself from certain matters. Talk to your agency ethics official for advice.

Impartiality In Performing Official Duties (Subpart E - 5 CFR 2635.501-602)

What it means. This section is about situations where your official duties could affect your own financial interests, or those of your business partner, or those of someone in your household, like your spouse or minor child. What to do, if you're in such a situation, or one where a reasonable person might question your impartiality, don't work

on that matter until you have informed your supervisor and your agency ethics official about it. Your ethics official will let you know whether you may proceed or not

Seeking Other Employment (Subpart F - 5 CFR 2635.601-606)

Thinking about leaving? If you're seeking employment with a person or company, or have an arrangement concerning future employment with them, then you can't participate in any matter involving that person or company as part of your official duties, if their financial interests could be affected by your performance of your duties.

Misuse Of Position (Subpart G - 5 CFR 2635.701-705)

Providing help. If your friends or relatives have any kind of dealing with USDA, you cannot use your position to try to intercede on their behalf and help them.

Endorsements. You cannot use your position to endorse any product, service or company, except where it is part of your official duties to do so (e.g., a Foreign Agricultural Service official meeting with foreign officials to promote purchase of American products).

Inside Information. You cannot use nonpublic information (information you receive in the course of your job that is not available to the general public) for the financial gain of yourself or others.

Property. Government property may only be used for government purposes. This includes government buildings and real estate property, telephones, typewriters, computers (including software and hardware), equipment, supplies, copiers, government vehicles and government issued credit or charge cards. Though not technically "government property," you are prohibited from using the American Express U.S. Government charge card for other than reimbursable travel expenses outside of your permanent duty location. There are a few exceptions, such as brief use of a government telephone to check on children with a babysitter, or to make a long-distance call with your personal calling card. There are also exceptions concerning the use of space, equipment (such as computers or copiers), and internal mail distribution systems (including e-mail) on behalf of professional associations. (See 5 CFR §251.202).

Outside- Activities (Subpart H .5 CFR 2635.801-809)

The rule. You cannot engage in outside employment or any outside activity if it conflicts with the official duties of your government job.